REMARKS

Claims 1-12 are pending in this application. Claims 1, 3, and 9 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claim 9 under 35 U.S.C. § 102(b) as being anticipated by *Shuichi* (JP 09-037125); rejected claims 1-3, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Shuichi* in view of *Pine* (USP 6,714,260); rejected claims 4 and 6 under 35 U.S.C. § 103(a) as being unpatentable over *Shuichi* in view of *Pine* and further in view of *Yokota et al.* (USP 5,847,662); rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Shuichi* in view of *Pine* and *Yokota et al.* and further in view of *Yoshizawa et al.* (USP 4,802,201); rejected claims 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Shuichi* in view of *Yokota et al.*; and rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over *Shuichi* in view of *Yokota et al.* and further in view of *Anderson* (USP 6,233,016). Applicant respectfully traverses these rejections.

By this Amendment, Applicant has amended claims 1 and 9 to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding

the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

Claim Rejections - 35 U.S.C. § 102 - *Shuichi*

By this Amendment, Applicant has amended claim 9 to recite, *inter alia*, an electronic camera comprising a communication device for stopping wireless communication at least during an imaging process when the electronic camera receives an instruction to capture an image.

Shuichi discloses a camera that includes a power supply switch that provides power to either the image taking operation or the image transfer operation. When the power switch is turned on, the power is supplied to all modules except for the transmission module. When the power switch is turned off, the transmission module is turned on by a command from the CPU. There is no teaching or suggestion in *Shuichi* that is directed to an electronic camera comprising a communication device for stopping wireless oscillation at least during an imaging process when the electronic camera receives an instruction to capture an image. As such, it is respectfully submitted that claim 9, as amended, is not anticipated by *Shuichi*. It is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103 - *Shuichi/Pine*

With regard to the Examiner's rejection of claim 1, the Examiner admits that *Shuichi* fails to teach the oscillation section

for generating a carrier for the wireless communication device and a controller for controlling the generation and stop of the carrier wherein the controller causes the oscillation section to stop the generation of the carrier at least for a period from the time when the image or audio information is captured to the time when the image or audio information is recorded. The Examiner relies on the teachings of *Pine* to cure the deficiencies of the teachings of *Shuichi*, asserting *Pine* teaches an imager circuit 15 having a master clock frequency oscillator 17 generating a desired carrier frequency for a radio transmission of the composite video signal, citing to col. 1, lines 66-67, col. 2, lines 1-7, and Fig. 1. Applicant respectfully disagrees with the Examiner's characterization of these references.

As noted above, the disclosure of *Shuichi* is directed to a camera that includes a power supply switch that provides power to either the image taking operation or the image transfer operation. When the power switch is turned on, power is supplied to all modules except for the transmission module. When the power switch is turned off, the transmission module is turned on by a command from CPU 6. If an automatic transfer switch 10 is turned on, the image is transmitted. The power provided to the transmission module is based on DC battery residue. If there is not enough battery residue power to transmit the entire file, a message appears on the

camera display that there is not enough power to transmit the data. (Paragraphs 16-18).

The present invention as provided in claim 1 recites, *inter alia*, an information recording device, comprising: a recorder which can record at least either image or audio information; a wireless communication device for transmitting the information to external equipment through wireless communication; an oscillation section for generating a carrier for the wireless communication device; and a controller for controlling the generation and stop of the carrier, wherein the controller causes the oscillation section to stop the generation of the carrier when the information recorder receives an instruction to capture an image, and the controller causes the oscillation section to stop at least for a period from the time when the image or audio information is captured to the time when the image or audio information is recorded.

The references cited by the Examiner fail to render the claims obvious. *Shuichi* teaches that the transmission section is rendered inoperable upon the power switch being activated when the camera is in a photograph-taking mode. *Shuichi* fails to teach or suggest stopping the oscillation section upon the receipt of an instruction to perform a photograph-taking operation. *Pine* fails to cure the deficiencies of the teachings of *Shuichi*. *Pine* fails to teach or suggest stopping of the oscillation section upon the receipt of an instruction to perform a photograph-taking operation. As such, as

neither of the references, either alone or in combination, assuming these references are combinable, which Applicant does not admit, teach or suggest all of the elements as recited in claim 1, it is respectfully submitted that claim 1 is not obvious over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claim 2 is allowable for the reasons set forth above with regard to claim 1 at least based upon its dependency on claim 1.

In support of the Examiner's rejection of claim 3, the Examiner asserts that these method claims correspond to claims 1 and 2, respectively, and therefore merely refer to the claim rejections with regard to claims 1 and 2. Applicant respectfully disagrees with the Examiner's characterization of claim 3.

It is respectfully submitted that the invention of claim 3 is directed to a communication method of an information recording device comprising, *inter alia*, stopping the generation of the carrier when an instruction to record the information is issued. It is respectfully submitted that this claim element is not incorporated in claim 1. As such, it appears that the Examiner has failed to properly consider the elements as recited in claim 3. Should the Examiner maintain his rejection of this claim, it is respectfully requested that the Examiner clearly recite the portions of the cited references the Examiner is relying upon in

support of his rejection of this claim in a non-final Official Action.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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